

Official Duty Activities

BEFORE REFERRING TO THIS CHART: Consider if you have any personal outside interests or relationships with the outside organization involved in the proposed official duty. If you do, call your Deputy Ethics Counselor.

Note: You may need separate administrative approval for some of these activities, e.g., travel (either government-paid or sponsored (348)). This table does not give guidance on administrative requirements. Employees should consult with their AOs.

KEY: E = Extramural Employee; I = Intramural Employee; B = Employees with both Extramural and Intramural Responsibilities

Activity	Not Permitted	No Formal Approval Needed	Supervisory Approval Needed	Other Clearance Needed	Notes
Writing and Editing Activities					
Review of manuscript (books, book chapters, or journal articles) where author is not grantee or collaborator		I	E, B		Consider the likelihood of author becoming a grantee or collaborator, and whether conflict would arise. Supervisor's discretion on time between grant application and manuscript review.
Review of manuscript (books, book chapters, or journal articles) where author is or likely to be grantee or collaborator		I	E, B		E & B: if author is a grantee, then consider potential conflict if author is within employee's purview. Supervisor's discretion on time between grant application and manuscript review.
Submission of article to journal as author				E, B, I	Clear manuscript before submission to journal with supervisor and pursuant to IC's procedures.
Service on a journal's editorial board or editing a multi-author textbook (duties include publication decisions and scientific policy decisions)	E, I & B if position includes fiduciary, budget, or personnel duties		E, B, I		E & B: if author is a grantee, then consider potential conflict if author is within employee's purview. Supervisor's discretion on time between grant application and manuscript review.
Press releases and other media contacts				E, B, I	Consult with IC public affairs office after securing supervisory approval.
Materials to be submitted to Congress				E, B, I	Consult with IC legislative contact after securing supervisory approval.
Letters to the editor or op ed articles			E, B, I		If writing in personal capacity (no use of NIH letterhead or title), no approval necessary. Caution not to disclose non-public information.

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<u>Clinical Practice</u>					
Clinical practice (other than at NIH Clinical Center)			E, B, I		E & B: disqualify institution from employee's portfolio. When approving, balance professional development of employee with programmatic and agency considerations.
<u>Academics Activities</u>					
Adjunct faculty (Clinical, Lecturer or Mentor)			E, B, I		E, B, I: disqualify institution from employee's portfolio. When approving, balance professional development of employee with programmatic and agency considerations. Possible conflict with individual mentee. Supervisor's discretion on time between academic activity and other matter.
Membership on thesis committee (not faculty member)		I	E, B		Possible conflict with individual doctoral candidate. Supervisor's discretion on time between thesis and other matter.
Presenting CME lectures for commercial CME providers	E, B, I				Could seek approval to participate as an outside activity
Presenting CME lectures for not-for-profit CME providers			E, B, I		No recusal necessary.
Presenting grand rounds lectures		I	E, B		No recusal necessary.

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Speaking					
Programmatic or scientific presentations at grantee or collaborating institutions		I	E, B,	IC Directors or Deputy Directors	No recusal necessary. Content review of remarks recommended. IC Directors and Deputy Directors should get supervisory and DEC approval.
Speaking at professional organization's events			E, B, I	IC Directors or Deputy Directors	Content review of remarks recommended. IC Directors and Deputy Directors should get supervisory and DEC approval.
Serving as an expert witness				E, B, I	Seek OGC advice, and if permissible, get supervisory approval as well.
Responding to media inquiries				E, B, I	Consult with IC public affairs office, and if permissible, get supervisory approval as well.
Responding to congressional inquiries				E, B, I	Consult with IC legislative contact, and if permissible, get supervisory approval as well.

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Advisory Activities					
Grant review for other government agencies (foreign, U.S. or state) or not-for-profit organizations		I	E, B		Scientific advice on whether the organization should fund or continue to fund an application; no NIH funds involved. Service could be ad hoc or as a committee member. No recusal necessary. Additional approval needed for travel and formal contracts or agreements.
Service on NIH review panels, including study sections			E, B, I		E, B: Service on staff administrative review panels and non-R&D contract panels is permitted with supervisor's approval. I: NIH study sections participation also permitted.
Advice from intramural scientist to extramural program official re: program direction		I, E, B			
Service on scientific review or advisory boards for educational institutions or not-for-profit organizations when project is not DHHS funded			E, B, I		This activity could include scientific review of a specific program or department, or help with preparation for accreditation. Not-for-profits include patient advocacy groups. Lobbying activities prohibited. Recusal necessary for employees with extramural responsibilities.
Service on scientific review or advisory boards for educational institutions or not-for-profit organizations when project is DHHS funded	E, B			I	Intramural employees must receive prior approval from supervisor and DEC. This activity could include scientific review of a specific program or department, or help with preparation for accreditation. Not-for-profits include patient advocacy groups. Lobbying activities prohibited. May require coordination with extramural program office.
Service on scientific review or advisory boards for industry	E, B			I	I: must receive prior approval from supervisor and DEC.

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Activities with Professional Organizations					
Non-active member of professional organization		E, B, I			
Active member (e.g., committee chair) of professional organization			E, B, I		
Federal liaison to professional organization			E, B, I		
Officer or board member of professional organization	E, I & B if position includes fiduciary, budget, or personnel duties			E, B, I	Section 208 waiver needed; consult with DEC.
Attending professional organization's events			E, B, I		Seek DEC advice if gifts (e.g., waiver of registration fees, meals) are offered.
Collaborative Activities					
CRADAs			E, B, I		COIFA review by DEC.
MCRADAs			E, B, I		COIFA review by DEC.
Cooperative Agreements			E, B, I		Formal agreements as defined by RFA.
Material Transfer Agreements			B, I		
Collaboration between NIH intramural scientist and NIH extramural scientist		I	E, B		See below re: letters of reference for requirements related to letters of support for extramural grant applications.
Collaborations with other U.S. government scientists		I	E, B		
Collaborations with academic and not-for-profit foundation scientists		I	E, B		If letter of support is being submitted with grant application, consider whether project should be managed as a cooperative agreement.
Collaborations with industry scientists not as part of a CRADA				E, B, I	All employees must receive prior approval from supervisor and DEC.
Scientific advisor on cooperative agreement				E, B, I	Supervisory, Scientific Director and extramural program director approval required.

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Institutional Relationships					
Entering into public-private partnerships (NIH & an outside organization) (including preliminary discussions)				E, B, I	Requires NIH-level approval and execution of MOU prior to initiation of formal partnership. Conflict may arise if employee has personal or imputed interest in outside organization.
Participating in governance bodies for partnerships between NIH and outside entities				E, B, I	Requires NIH-level approval of partnership. Conflict may arise if employee has personal or imputed interest in outside organization.
Entering into co-sponsorship agreements				E, B, I	Requires NIH-level approval prior to initiation of co-sponsorship. Conflict may arise if employee has personal or imputed interest in outside organization.
Receiving conditional or unconditional gifts				E, B, I	Requires NIH-level approval prior to receipt of gift. Conflict may arise if employee has personal or imputed interest in outside organization.
Reference Letters/Letters of Recommendations					
Reference letters for colleagues with whom you have or had interactions while at the NIH, or persons who are applying for U.S. government jobs		E, B, I			May use government letterhead and sign letter with official title. However, extramural employee may not write such a letter for an investigator in his/her portfolio.
Letters of recommendation from superior to subordinates		E, B, I			May use government letterhead and sign letter with official title. Can be included in grant applications (K99 and R00).
Letters of support for collaboration on NIH extramural applications				B, I	Approval by SD after consultation with the extramural program director. IC Directors must write letters as intramural scientist on the lab's IC letterhead.
Letters of support for Work Visas or green cards	E, B, I				Prohibition includes representations to other govt agencies. Permissible if part of official request through Division International Services, ORS.

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Service on Data and Safety Monitoring Boards (DSMBs)					
DSMB service for your own IC	E, B, I				DSMB policy being finalized.
DSMB service where DSMB members selected by another IC			E, B, I		DSMB policy being finalized.
DSMB service where DSMB members selected by employee's IC's grantee	E, B, I				DSMB policy being finalized.
DSMB service where DSMB member selected by another IC's grantee			E, B, I		DSMB policy being finalized.
DSMB service for protocol funded by industry				E, B, I	DSMB policy being finalized.
Attending DSMB meeting as a Scientific Coordinator			E, B, I		